

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	98 C 7108	DATE	10/1/2001
CASE TITLE	Michael J. Vallone et al. Vs. CNA Financial Corp. etc. et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

Memorandum Opinion and Order

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. The easiest way to put this matter to rest is for the court to review them in camera. Defendant is directed to furnish each of the documents listed in its second amended privilege log within the next fourteen days.

- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court.	 ED-7 FILED FOR DOCKETING 01 OCT -1 PH 2:06	number of notices	Document Number 81
<input type="checkbox"/> No notices required.		OCT 01 2001 date docketed	
<input type="checkbox"/> Notices mailed by judge's staff.		 docketing deputy initials	
<input type="checkbox"/> Notified counsel by telephone.		date mailed notice	
<input checked="" type="checkbox"/> Docketing to mail notices.		mailing deputy initials	
<input type="checkbox"/> Mail AO 450 form.			
<input type="checkbox"/> Copy to judge/magistrate judge.			
WAH	courtroom deputy's initials	Date/time received in central Clerk's Office	

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL J. VALLONE and)
JOYCE E. HEIDEMANN, and JAMES)
J. O'KEEFE, on behalf of themselves)
and all other plaintiffs similarly situated)
known and unknown,)

Plaintiffs,)

vs.)

No. 98 C 7108

CNA FINANCIAL CORPORATION,)
a/k/a CNA Casualty of Illinois, and)
The CONTINENTAL INSURANCE)
COMPANY, and all their subsidiaries,)
parent companies, partnerships, and)
corporations,)

Defendants.)

DOCKETED
OCT 01 2001


MEMORANDUM OPINION AND ORDER

Plaintiffs, by a motion to compel and a second motion to compel, seek the complete files of Melvin Katzman, who was vice-president and associate general counsel for Continental Insurance Company, as well as all documents between certain Bates numbers that defendant claims are privileged. Defendant has now skinned down its privilege log to 23 documents, and it is those documents that are at issue.

It is not enough, of course, that plaintiffs believe, or at least hope, that the documents may be helpful to them if they are indeed privileged. And, at first blush, they do appear to be privileged. In plaintiffs' reply they seek *in camera* review rather than production. The documents are few in number and Katzman wore two hats, both as an officer and as an attorney. It is therefore conceivable that the privilege might not extend to some of the documents. The easiest way to put this matter to rest is for the court to review them *in*

camera. Defendant is directed to furnish each of the documents listed in its second amended privilege log within the next fourteen days.

O.B. 1, 2001.



JAMES B. MORAN
Senior Judge, U. S. District Court